

Bonnie Lowenthal, Vice Mayor, 1st District  
Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



Gerald R. Miller, City Manager  
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District  
Dee Andrews, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**CITY COUNCIL SUPPLEMENTAL AGENDA  
FOR MEETING OF JUNE 5, 2007**

This Supplemental Agenda contains corrections and additions, which were posted more than 72 hours in advance of the above meeting date.

**SUPPLEMENTAL AGENDA (ADDITION)**

**REQUEST:**

The Mayor's office requests the addition of a presentation as follow:

**PRESENTATION BY SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS  
TO THE CITY OF LONG BEACH OF "THE COMPASS BLUEPRINT EXCELLENCE  
AWARD – VISIONARY PLANNING FOR PROSPERITY" IN RECOGNITION OF THE  
OLIVE COURT PROJECT ON LONG BEACH BOULEVARD**

**CONSENT CALENDAR:**

9. 07-0615

**REQUEST:**

The City Clerk requests designation of Council District number to be added to the agenda title.

Recommendation to adopt resolution accepting funding from the California Department of Justice Spousal Abuser Prosecution Program (SAPP). (Citywide)

**Office or Department:** CITY PROSECUTOR

**Suggested Action:** Approve recommendation.



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**REGULAR AGENDA**

26. 07-0648

**REQUEST:**

The Mayor's office requests distribution of a revised staff report. Recommended action remains the same.

Recommendation to request City Attorney to draft an ordinance establishing flag protocols for the City of Long Beach.

**Office or Department:** MAYOR BOB FOSTER

**Suggested Action:** Approve recommendation.

33. 07-0649

**REQUEST:**

Vice Mayor Bonnie Lowenthal requests that Councilmember Gary DeLong, Third District, be added to Office or Department.

Recommendation to receive and file a presentation from the Long Beach Health Department and Water Quality Task Force regarding the City's efforts to improve beach water quality.

**Office or Department:** VICE MAYOR BONNIE LOWENTHAL,  
COUNCILMEMBER, FIRST DISTRICT;  
COUNCILMEMBER SUJA LOWENTHAL,  
SECOND DISTRICT; **COUNCILMEMBER  
GARY DELONG, THIRD DISTRICT**

**Suggested Action:** Approve recommendation.

38. 07-0642

**REQUEST:**

The City Manager requests distribution of a revised staff report and attachment. Recommended action remains the same.

Recommendation to request the Planning Commission to study and recommend amendments to the Southeast Area Development Improvement Plan (SEADIP), Planned Development Area Number One. (District 3)

**Office or Department:** PLANNING AND BUILDING

**Suggested Action:** Approve recommendation.



**ORDINANCES:**

40. 07-0617

**REQUEST:**

The City Clerk requests designation of Council District number to be added to the agenda title.

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 2.52.020 related to Public Safety Advisory Commission read the first time and laid over to the next regular meeting of the City Council for final reading. **(Citywide)**

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.

42. 07-0592

**REQUEST:**

The City Clerk requests designation of Council District number to be added to the agenda title.

Recommendation to declare ordinance amending Chapter 16.16 by adding Subsection S to Section 16.16.010 of the Long Beach Municipal Code prohibiting trespassing on fenced, gated, or otherwise enclosed Parks, Recreation, or Marine grounds or facilities outside of posted hours of operation without prior authorization from the Director of Parks, Recreation, and Marine, read and adopted as read. **(District 4)**

**Office or Department:** COUNCILMEMBER PATRICK O'DONNELL,  
FOURTH DISTRICT

**Suggested Action:** Approve recommendation.

adb





**MAYOR BOB FOSTER**

CITY OF LONG BEACH

REVISED

June 5, 2007

MEMBERS OF THE CITY COUNCIL  
City of Long Beach

**RE: Recommendation to request the City Attorney to draft an ordinance establishing flag protocols for the City of Long Beach.**

Background

According to United States Code Title 1 Section 4 § 7, by Presidential order the United States Flag shall be lowered to half-staff:

- For 30 days from the death of the President or a former President;
- For 10 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives;
- From the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession;
- On the day of death and the following day for a Member of Congress;
- On Memorial Day until noon;
- On Peace Officers Memorial Day, unless that day is also Armed Forces Day;
- On the event of the death of other officials or foreign dignitaries, according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law;

The Governor of a State, territory, or possession may proclaim that the National flag shall be flown at half-staff in the event of the death of a present or former official of the government of that State, territory, or possession of the United States.

Under that authority, the Governor of California has established a protocol to lower State and National flags at the State Capitol to half-staff for 72 hours, to commence upon order of the Governor, in the event of the death a soldier, peace officer or firefighter residing in California or any past or present California state or local elected officials.

Standards for the manner in which the United States flag shall displayed and lowered to half-staff are also contained in 4 U.S.C. 1 § 7.

California Government Code Section 430-439 grants Cities the ability to establish their own official flag and sets standards about the manner in which the California flag and United States flag are displayed.

The City of Long Beach's AR8-18 establishes a Citywide policy relative to the display of National and State flags. Under AR8-18, flags are directed to be flown at half-staff for the following circumstances:

- On the death of the following individuals:
  - President, ex-President, or President elect;
  - Vice President, Chief Justice or retired Chief Justice of the United States, or the Speaker of the House of Representatives;
  - Other designated federal officials;
- At the direction of the President;
- At the direction of the Governor;
- On Memorial Day from sunrise to noon;
- In those instances when employees of the City of Long Beach have been killed in the line of duty or have died as a direct result of injuries incurred while in the performance of official duties
- On other occasions at the direction of the City Council or City Manager.

In review of the City of Long Beach's AR8-18, it may be in conflict with State and Federal laws that regulate the appropriate lowering of State and National flags to half-staff.

### Recommendations

Recommend that the City Council direct the City Attorney to draft an ordinance to bring Long Beach in conformity with state and federal law and enact the following protocols for the lowering of flags to half-staff:

The City of Long Beach will lower national, state and municipal flags to half-staff in the manner prescribed and on the occasions enumerated by United States Code Title 1 Section 4 § 7, California Government Code Section 430-439 and all other relevant state and federal laws.

The City of Long Beach will also lower national, state and municipal flags to half-staff in conformity with the then existing protocols as established by the Governor of California in the event of the death a member of the military, peace officer or firefighter residing or stationed in Long Beach and any past or present federal, state or municipal elected official representing any part of Long Beach.

In the event of the death a member of the military, peace officer or firefighter residing or stationed in Long Beach and any past or present federal, state or municipal elected

official representing any part of Long Beach, and in accordance with the wishes of the primary next of kin, the Mayor or authorized representative may present the official flag of the City of Long Beach to the primary next of kin of these deceased.

The presentation shall be made at an appropriate time and not interfere with a military honors funeral, or supercede any military or federal protocols.

The order of the primary next of kin is as follows:

- Any person designated by the deceased as their next of kin;
- Spouse;
- Sons or daughters in the order of age, oldest first;
- Oldest parent, unless legal custody was granted to another person;
- Blood or adoptive relative granted legal custody;
- Brothers or sisters in the order of age, oldest first;
- Oldest grandparent;
- Other relative in accordance with laws of deceased's domicile;
- Close friends and/or associates.

When the official flag of the City of Long Beach is presented it shall be presented outside of a flag box and folded in the standard manner for an American flag – triangular shape with a portion of the City emblem showing and ends tucked.

#### Recommended Action

Request the City Attorney to draft an ordinance establishing flag protocols for the City of Long Beach.

Dated: May 31, 2007

A handwritten signature in black ink, appearing to read "Bob Foster", written in a cursive style.

Mayor Bob Foster  
City of Long Beach



**R-33**

**Date:** June 5, 2007

**To:** Honorable Mayor and Councilmembers

**From:** Bonnie Lowenthal, Vice Mayor, Councilmember, First District *BL*  
Suja Lowenthal, Councilmember, Second District *SL*  
Gary DeLong, Councilmember, Third District *GD*

**Subject:** Request presentation on beach water quality improvement efforts

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Heal the Bay released their Annual Beach Report Card on May 23, 2007. The report stated that eighty-eight percent of Long Beach monitoring locations received fair-to-poor grades, making multiple beaches in Long Beach share the dubious title of being a "Beach Bummers" this year.

Improving the water quality of our community's beaches is important to the health and safety of our residents and visitors. As our beaches are a top attraction for local recreation and tourist activities, every effort should be made to bring the beach water quality grades to "A".

I respectfully request that we have representatives from the Long Beach Health Department and Water Quality Task Force come to a City Council meeting within 30 days to give a brief presentation about the City's efforts to improve beach water quality.

**RECOMMENDATION:**

Receive and file a presentation from the Long Beach Health Department and Water Quality Task Force regarding the City's efforts to improve beach water quality.



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

**R-38**

333 W. Ocean Blvd. - Long Beach, CA 90802 - 562/570-6651 - FAX 562/570-6205

June 5, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Request the Planning Commission to study and recommend amendments to the Southeast Area Development Improvement Plan (SEADIP), Planned Development Area Number One. (District 3)

## DISCUSSION

This item is the presentation of the Draft Concept Plan for certain subareas of the Southeast Area Development Improvement Plan (SEADIP). This Plan was developed by a resident committee that is advisory to Councilmember Gary DeLong. The committee began meeting in September 2006 to develop a vision statement and a draft concept plan for the area bounded by Loynes Drive to the north, the San Gabriel River to the south and east, and Marina Drive and Marina Pacifica residential to the west. These parcels are indicated on the attached map.

Since April 2007, the Draft Concept Plan has been shared with the community at sixteen community meetings. Fourteen of these meetings took place at regularly scheduled neighborhood meetings and the other two meetings were SEADIP specific meetings at Lowell Elementary School. The Draft Concept Plan was also presented to the Planning Commission on April 19, 2007 at a study session for comment and public testimony.

The primary purpose of the community meetings was to gather community opinions and feedback on the Draft Concept Plan. The committee has heard comments from community members and the Planning Commission, and modified the Plan in response to concerns.

The next step will be for the City Council to request the Planning Commission to review and prepare suggested amendments to the SEADIP plan, and to prepare the appropriate environmental review document, subject to the California Environmental Quality Act (CEQA).

This report was reviewed by Assistant City Attorney Michael Mais on May 29, 2007.

## TIMING CONSIDERATIONS

City Council action on this item is not time critical.



FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



Suzanne Frick  
Director of Planning and Building

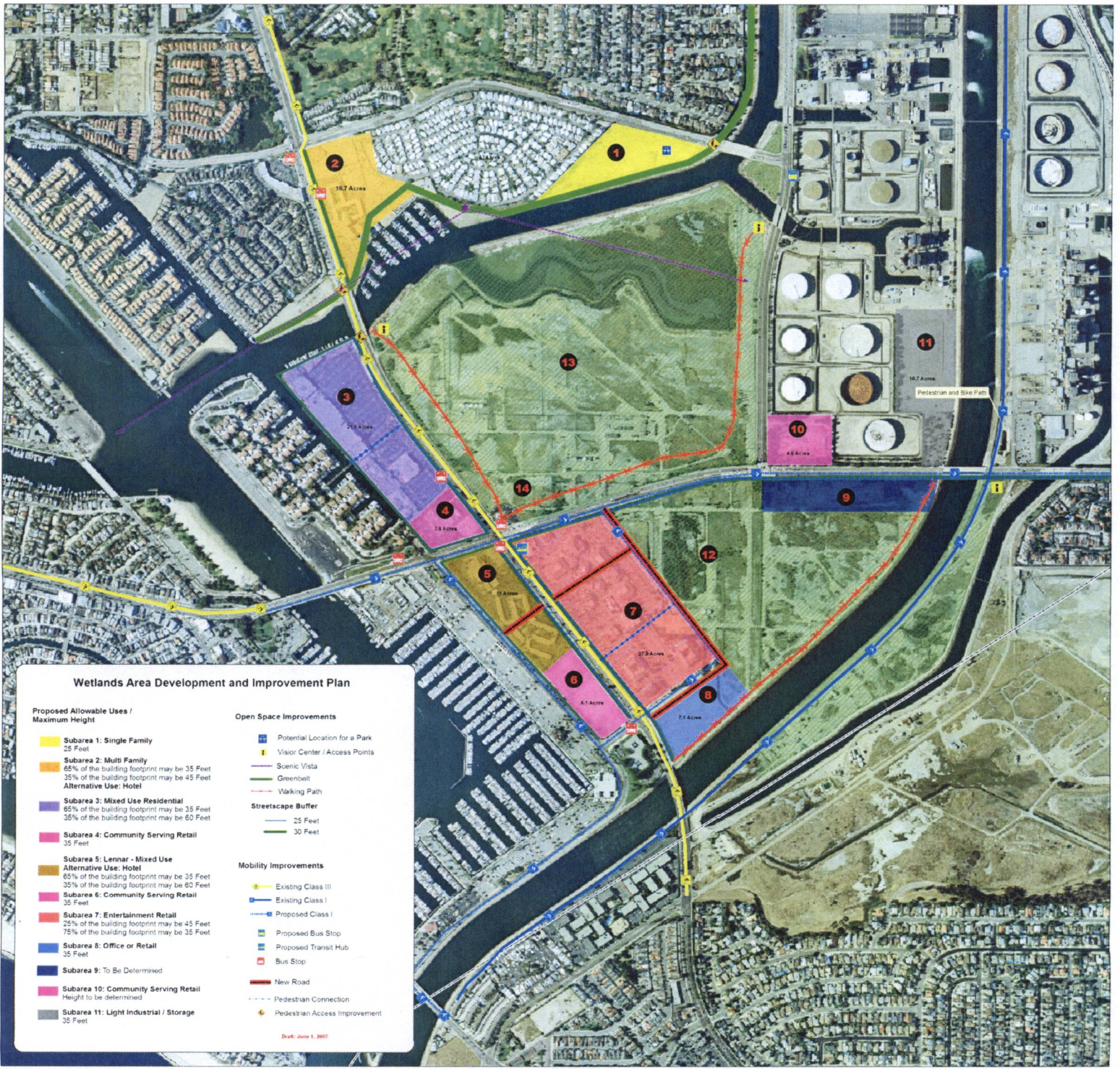
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Attachment

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER





**Wetlands Area Development and Improvement Plan**

- Proposed Allowable Uses / Maximum Height**
- Subarea 1: Single Family  
25 Feet
  - Subarea 2: Multi Family  
65% of the building footprint may be 35 Feet  
35% of the building footprint may be 45 Feet  
Alternative Use: Hotel
  - Subarea 3: Mixed Use Residential  
65% of the building footprint may be 35 Feet  
35% of the building footprint may be 60 Feet
  - Subarea 4: Community Serving Retail  
35 Feet
  - Subarea 5: Lennar - Mixed Use  
Alternative Use: Hotel  
65% of the building footprint may be 35 Feet  
35% of the building footprint may be 60 Feet
  - Subarea 6: Community Serving Retail  
35 Feet
  - Subarea 7: Entertainment Retail  
25% of the building footprint may be 45 Feet  
75% of the building footprint may be 35 Feet
  - Subarea 8: Office or Retail  
35 Feet
  - Subarea 9: To Be Determined
  - Subarea 10: Community Serving Retail  
Height to be determined
  - Subarea 11: Light Industrial / Storage  
35 Feet
- Open Space Improvements**
- Potential Location for a Park
  - Visitor Center / Access Points
  - Scenic Vista
  - Greenbelt
  - Walking Path
- Streetscape Buffer**
- 25 Feet
  - 30 Feet
- Mobility Improvements**
- Existing Class III
  - Existing Class I
  - Proposed Class I
  - Proposed Bus Stop
  - Proposed Transit Hub
  - Bus Stop
  - New Road
  - Pedestrian Connection
  - Pedestrian Access Improvement
- Draft: June 1, 2007*